

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITES STATES OF AMERICA)

v.)

TYRONE WHITE)

CASE NO. 3:05-CR-234-A

MOTION FOR EXTENSION OF TIME TO FILE BRIEF

COMES NOW the defendant, Tyrone White, by and through his undersigned counsel, and respectfully moves this Court for an extension of time in which to file his brief in support of his *Motion to Dismiss Indictment and for Sanctions* (Doc. 39).

Specifically, the defendant requests that his brief be due five business days from the receipt of the transcript of the November 30, 2005, proceedings, but no sooner than January 6, 2005. In support of this motion, the defendant says:

1. This Court granted an evidentiary hearing on the defendant's *Motion to Dismiss Indictment and for Sanctions* (Doc. 39). The Court heard evidence on three separate days: November 30, 2005; December 7, 2005; and December 9, 2005. At the conclusion of the evidence, the Court set a briefing schedule in its *Order* (Doc. 94), with the defendant's brief due on December 28, 2005, and with the government's brief due January 17, 2006.

2. Each of the three days of the evidentiary hearing was transcribed by a different court reporter. The undersigned has not yet received the transcript for the first day of the hearing, November 30, 2005, although requested from the court reporter, Mitchell Reisner. The undersigned has made numerous unsuccessful attempts to contact

MOTION GRANTED

SO ORDERED

THIS 23rd DAY OF Dec 2005

[Signature]
UNITED STATES DISTRICT JUDGE